

PALA - PAUMA COMMUNITY SPONSOR GROUP
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REGULAR MEETING
APPROVED MINUTES OF DECEMBER 6, 2011

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Date: December 6, 2011

Scheduled start time: 7:00 PM

Place: Pauma Valley Community Center
16650 Hwy. 76
Pauma Valley, Ca. 92061

1. **CALL TO ORDER: 7:05** Roll Call and quorum established: Five Group Members present: Andy Mathews, Chairman; Bill Winn, Vice Chairman; Fritz Stumpges, Secretary; Ron Barbanell; Absent John Ljubenkov and Jim Beezhold.
2. **OPEN FORUM:** There was no one who wished to speak on an item not on the agenda.
3. **ADMINISTRATIVE MATTERS:**
 - a. The minutes for November, 1st had been circulated to all members. All proposed changes had been incorporated and the minutes circulated again prior to the meeting. With no further discussion, Bill moved to approve the November minutes, Ron made the second and the minutes were approved 4-0.
 - b. No Operating Expenses were submitted
 - c. Requests To Serve as a Pala Pauma Sponsor Group member were made and this request's publication and posting was mentioned
 - d. There were no proposed agenda items for our upcoming meeting date of January 2, 2012. Ron made a motion to cancel that meeting, Bill made the second and it was approved 4-0. The next meeting will be February 7, 2012.
4. **ANNOUNCEMENTS:** The County Specific Property Request workshop scheduled for Dec. 9 was rescheduled for January 9, 2012 at 9 AM at the San Diego County Board Chambers located at 1600 Pacific Coast Highway, San Diego, CA. No one present had such a request before the Board. Andy mentioned a program, PACT, to compensate landowners wishing to dedicate land into Agricultural Land Trusts. The PACT meeting will be held downtown January 14, 2012.
5. **DISCUSSIONS:**
 - a. Fee to Trust (FTT) issues were discussed. This is the process wherein the Bureau of Indian Affairs, or BIA, allows Indian owned "Fee" land which is still within the County and paying taxes, to be brought into Indian "Trust" land. This land then becomes officially part of the tribe's 'Sovereign Indian Trust Land' reservation and solely under their governance. Andy mentioned the concerns of having so much land taken out of the tax base while many services still need to be provided. There is also the concern of loss of planning to keep its development in line with county designs. The fact that the BIA following federal guidelines approves many transfers is becoming a problem issue. Andy mentioned our objection to one of these transfers. He mentioned our belief that this parcel which we objected to was shown on parcel maps to not

be contiguous to other reservation land. Darlene Vega, who has worked on some FTT's in Pala, said that the land was in fact contiguous. We will have to check into this. Bill is the chairman of our FTT sub-committee formed to learn more about FTT's and how they work. He spoke about his meeting with a county group formed just for this. It is composed of a representative from each of the individual planning groups. He mentioned that the law still governing FTT's was enacted in 1934 and that many felt it needed to be re-addressed in light of current situations. One big concern was that promises made as to use of these lands is not necessarily followed up upon to see what the final usage is. He said that the committee recommended to our county, state and federal representatives that this be reviewed and he presented a copy of their letter to Andy and us to discuss and decide if to forward it on to the Board of Supervisors as having our support. Jeremy Barbanell spoke, saying that he had been asked by the Pala Band Chairman Smith to also attend these meetings for them. He countered our claims that the Indians were not paying for all of the services they got. He mentioned the Casino Pact that the Indians signed up for and where the Pala Band was to pay 18 million dollars a year. He mentioned the approximate \$300,000 donated each year in fire support and \$3 million a year for paramedic services. They also give \$280,000 a year to the V.C. sheriff's department. They spent \$450,000 to build a new library open to all and it's annual budget is \$550,000! They also gave \$140,000 to the Bonsall School District and they also funded the \$30,000 shortfall in Bonsall's school bus budget. They also donated \$200,000 to the Fallbrook library and committed an additional \$50,000 a year for operating. And lastly they also gave a \$500 donation to help with the PV Community Center. Bill responded with what he had found and read, "In 2002 statewide Indian Casinos cost California Counties more than \$200,000,000 in non reimbursed road, water, sewer, fire and law enforcement costs. The special distribution fund by the tribes has only provided \$21.9 million in total to offset these costs". Bill also recognized the Pala Band of Indians for their contributions; but made the point that they are only one tribe out of 18 in the San Diego County and we are looking at a total scenario involving all the tribes of the State of California. Then Ron spoke about his attempts to learn more about the local Native Americans. He spoke about the extreme suffering and injustice they were subjected to. He spoke of Chairman Smith's attempts to mitigate the problems caused by the new raceway. Darlene spoke again of the Tribes desires to purchase back their ancient home lands and of their desire to work with us to be good neighbors. She said that the tribe has to follow federal guidelines on the Reservation; they can't just do anything they want. Andy called the discussion to a close and all were in favor of the future dialogue proposed.

b. There were no sub-committee reports submitted for approval.

6. ACTION ITEMS – PPCSG advisory vote may be taken on the following items:

Sol Orchard / Sol-Focus, Solar Generating Facility. This is Project Case number 3000-11-037 (ADD11-037), Project #11-0158818 – APN – 111-120-12, -51, -52. had presented their first round last meeting and this is the second meeting to get the community input and hopefully a favorable opinion. The proposed site is up on El Sendero, about 1/4 mile off of Highway 76. The attached 3 page report of the substance of this discussion, was made by Andy in response to a motion to do so. That motion was made by Bill, Ron seconded it, and it passed 4-0. This report is a summary of the presentation, community feedback and concerns. It has been sent to the County DPLU for a ruling on the planning code issue regarding the legality of using this land for the proposed usage. These 3 pages are submitted as an addendum summarizing this portion of the meeting and incorporated herein.

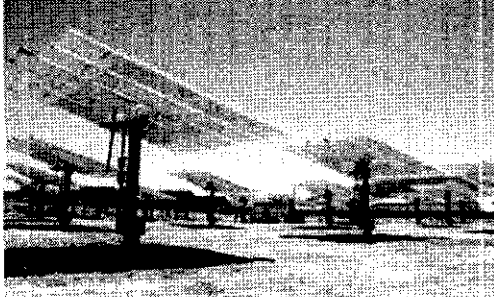
7. ADJOURNMENT:

Ron moved to adjourn, Fritz gave a second and the meeting was adjourned at 9:03 PM

Fritz Stumpges, Secretary

These minutes and Sol Focus Addendum were approved at the February 7, 2012 meeting.

Report of Pala Pauma Community Sponsor Group to San Diego County DPLU, concerning:
SOL Orchard SD5, Solar Field, Case 3000-11-037 (~AD11-037) APN 111-120-12,-51,-52
Pauma Valley Solar Generating Facility State Hwy 76 and El Sendero Road



The project proposes the installation of 168 Concentrator Photovoltaic dual axis, sun tracking collectors, (CPVs), each approximately 21 feet high by 33 feet wide mounted on single poles approximately twelve feet in height. The project is to use renewable energy to locally generate a significant portion of the electricity consumed in Pauma Valley. If installed, and when in a horizontal position, such CPVs would cover some 27% of the 10 acre area.

Sense of the PPCSG and the community present at its December 6, 2011 meeting.

There is no benefit to a desirable neighborhood character.

There are obvious advantages of using renewable energy to generate electrical power and of reducing costs and ecological impact of long distance transmission. But the advantages to the local community claimed in the meeting by the Applicant are not as obvious as are the clear adverse impacts upon the local community. First, generation is only during daylight hours (whereas significant consumption occurs at other times) and, second, there was no apparent favorable community impact of lower distribution costs and use of renewable energy (so that local electrical supply remains not fully stabilized and the community sees no power cost benefit.)

There is a harmful effect upon a desirable neighborhood character.

Accepting that there could be benefit to the County as a community, the proposed installation and proposed use are not compatible with adjacent uses, residents, buildings, etc. If installed as proposed, there would be significant harmful effect upon a desirable neighborhood character. The proposed south facing site of moderate to steep slope is A70 Limited Agriculture land, SR1/10. Actual use of the surrounding and similarly categorized land is for citrus and avocado farming, with occasional residences. To create an island of Solar Energy generation under Section 6952 of the Zoning Ordinances would adversely impact a panoply of rural views as seen from (i) residences at the same and higher altitudes on adjacent and proximate lots, (ii) roads and residences looking at the site from across Pauma Valley, and (iii) a proximate section of westbound SR-76 (a County Scenic Highway). The adverse impacts on these views are illustrated by the photographic simulations numbered PV01, PV06 and PV09 provided by the Applicant. These views clearly illustrate the blemish on the pristine rural landscape that would result from an installation proceeding as proposed and what would be the lack of compatibility with adjacent land uses.

Other sites exist in Pauma Valley to provide similar benefits with less harmful effects.

While there are many other potential sites, one specific that it was not apparent that the Applicant had considered is proximate to the already existing generating facility approximately 8 miles to the west of the now proposed location and immediately adjacent to SR-76. Establishing a 10 acre solar farm there would have little impact upon rural views, be compatible with existing adjacent uses and buildings, and have a ready connection for power distribution. PPCSG would appreciate a review of such site, and other sites in Pauma Valley, as viable alternatives to the destruction of prime agricultural land now providing aesthetic benefits.

Other issues outstanding and unresolved from December 6, 2011 meeting.

The following issues, not necessarily sequenced by significance, were raised during the course of the meeting and remain outstanding and unresolved:

1. Right of access from Adams Drive.
Applicant stated that the proposed access would be from Adams Drive thereby avoiding any issues with access from El Sendero Road. The proposed development does not abut Adams Drive and members of the public present maintained (which the Applicant could not rebut) that such access from Adams Drive would be over a private road for which no right of way to the proposed development existed.
2. Repair and maintenance of roads.
While all members of the public anticipated that, assuming the development proceeding, the Applicant would repair any pavement and other damage resulting from removal of trees and the delivery of equipment, some members of the public maintained that road improvement by the Applicant should be a condition of any approval of the proposed project (while others did not want to see the rural feeling altered by having pavements and rights of way extended to meet current County requirements.)
3. Financial impact on local water company.
Representatives of the local mutual water company maintained that they would suffer an adverse financial impact as a result of the proposed conversion of land to non-agricultural uses. The resultant reduction in demand would apparently adversely impact the recovery of fixed costs and recent capital expenditure, to the detriment of continuing customers.
4. Infrastructure impact on local water company
The local mutual water company claims the benefit of recorded and prescriptive easements across the proposed development, but is not certain that the recorded easements are "as built." Additionally, having spent approximately \$125,000 to establish new wells, the local water company is in the process of separating distribution of potable and non-potable water. Correspondingly, representatives of the water company were concerned that should the project be approved there should be (i) no disturbance to their existing infrastructure from trees removal and footings being dug, and (ii) provision for the construction of additional or replacement infrastructure to accommodate the separation of potable and non-potable water distribution.
5. Disposal of removed trees.
The proposed development is fully planted with fruit-bearing trees, which presumably would have to be removed if the proposed project were to be developed. There was no clear response as to how such trees would be disposed of without damage to the environment (such as would be caused by on-site burning) nor to the erosion and storm water run off management subsequent to the removal of such trees and the cessation of agricultural watering (which is slowly absorbed and tends to reduce erosion).
6. Reflection from CPVs leaked outside of the collector
The Applicant assured the meeting that there would be no reflection from the CPVs. When asked whether he was addressing visible reflectance or thermal reflectance, and what were the specific reflection factors, there was less than clarity. In addition, the CPVs change their orientation in the vertical and horizontal axes as they follow the sun, apparently at discrete intervals. Therefore, there could be amounts of time when the CPVs are not aligned so that the totality of the reflected energy is concentrated by the primary mirror via a secondary mirror and non-imaging optical system onto the claimed high-efficiency III-V solar cells.
While the community understands the claims of specially treated, non-reflective, green-blue

Other issues outstanding and unresolved from December 6, 2011 meeting (Continued).

colored CPVs, it is not apparent that there would be total elimination of all reflection because the CPVs would be viewed from many different relative attitudes and altitudes, or that the green-blue color will harmoniously blend into the landscape.

7. Open space between CPVs.

Pictures of actual installations of CPVs illustrate that the on-surface footprint of each mounting pole is very small compared to the size of the collector. The 168 CPVs would cover, at the maximum (when in horizontal position), approximately 27% of the surface of the 10-acre project. In a locality of lower slope there would be less concern of edge-drip erosion from 168, approximately 700 sq. ft, collectors, or of erosion on a medium slope subsequent to removal of the trees, without active and adequate erosion avoidance and storm water runoff measures that comply with fire and other code requirements. There was no clarity as to what such conservation and storm water runoff management measures would be.

8. Ravines and arroyos.

The issues of storm water runoff are accelerated by a number of ravines and arroyos running down the slope of the proposed development. Apparently, the Applicant proposes to leave those "as is." However, it is not clear that, subsequent to the denuding of the land by removal of the trees, there will not be a requirement for continuing storm water management of the ravines and arroyos and their maintenance, if properties lower in elevation are not to suffer from storm water runoff other than clear water.

9. Continuing limited agricultural use.

Apparently, the Applicant intends to continue agricultural use of land outside of the proposed 10 acre solar farm but contained within the perimeter of the assessor parcels proposed to be developed. There is no evidence that the Applicant has such agricultural experience and the community would wish to be assured, should the development be approved, that the Applicant would be bound for the life of the project to contract with entities having successful experience of agricultural management, even though such farming may not have commercial value, so that any adverse impact upon the community is minimized.

10. End of life management,

If approved, the development will have a certain period of operation which can be ended, for example, by the installed equipment ending its useful life, demise of the operating entity, etc. If the project were to be approved, the community would be concerned that funding should then readily available at such end of life to dismantle and remove the installed equipment and restore the terrain; without charge to the County or others and thereby removing what otherwise would be a nuisance.